

# **AGENDA ANNUAL EXCOMM RETREAT**

**Trusts and Estates Section  
State Bar of California**

**APRIL 23-25, 2004  
LA QUINTA**

## **Sessions:**

<b>Friday:</b>	<b>1:00 pm — 5:00 pm</b>	<b>(Meeting)</b>
<b>Saturday:</b>	<b>9:00 am — 12:00 pm</b>	<b>(MCLE)</b>
<b>Sunday:</b>	<b>9:00 am — 12:00 pm</b>	<b>(Meeting)</b>

## **I. WELCOME, INTRODUCTIONS AND REPORTS OF CHAIR/VICE CHAIR**

- 1. Welcome** [GODSHALL]
- 2. Approval of Minutes of March Meeting** [GODSHALL]
- 3. Report of Chair** [GODSHALL]
- 4. Report of Vice Chair** [FITZPATRICK]
- 5. Report of Section Administrator** [ORLOFF]  
Administrative Matters

## **II. ADMINISTRATIVE MATTERS**

- 1. Finance and Budget – Financial Report** [FITZPATRICK]
- 2. Council of State Bar Sections** [OLDMAN]
- 3. Nominating Committee Report** [OLDMAN]

## **III. COMMITTEE, TASK FORCE AND LIAISON REPORTS**

- 1. Legislation** [POTTS]
  - (a) Report on pending legislation
  - (b) Legislative proposals submitted to State Bar for next year
  - (c) State Bar Webpage & Online Bill Tracking legislative information:  
Larry Doyle's Legislative Information Page:  
[www.calbar.ca.gov/calbar/html\\_unclassified/ViewBillCatalogues.html](http://www.calbar.ca.gov/calbar/html_unclassified/ViewBillCatalogues.html)
  - (d) **IMPORTANT GUIDELINES:**
    - Please use approved format for legislative proposals.
    - Please Use Comment form for comments on legislation as a member of EXCOMM.
    - Always write to Larry Doyle, not directly to a member of legislature or legislative staff.
    - If you agree to testify, be there unless otherwise notified.
- 2. CLRC Committee** [MOORE]
  - (a) Report on CLRC meeting

- (b) Legal Malpractice S/L
- (c) Other pending or looming CLRC projects
- (d) Shares of Omitted Spouse (Work on Abatement Statute Deferred)
- (e) Uniform Trust Act/Prof. English Report

### **3. Educating Seniors**

**[TONG]**

- (a) Revision of Senior Information Hotline **[Potts]**
- (b) Speaker's Bureau **[Tong]**
- (c) Proposed GC § 27389 (AB 2783) and AB 2316 **[Pollard]**
- (d) Financial abuse booklet

### **4. Trust & Estate Administration Committee**

**[DOCKER]**

- (a) Opposition to SB 1248 (Trustee Registration) **[Henden]**
- (b) Recording Notice of Change of Trustee **[Hartog]**
- (c) Unitrust Safe Harbor Project/90/10 Rule Clean-up **[Burger]**
- (d) Exploratory workgroup on graduated probate filing fees **[Potts]**
- (e) Trustee bond waiver/PC § 15602 – AB 1883
- (f) Clarification of H&SC § 103526(a)(5) (obtaining certified copy of death certificate if no probate)

### **5. Conference of Delegates**

**[MOORE]**

- (a) Report on Proposed Resolutions 09-01 to 09-05; 06-04; 10-03

### **6. Incapacity**

**[HARRIS/STERN]**

- (a) PC §§ 1900-1901 and 2351.5 amendments
- (b) B&PC § 6068.5 — Attorney role in helping at-risk clients **[Lodise]**
- (c) HIPAA Issues working group
- (d) Ongoing projects:
  - (1) Conservator investment powers – reform of PC § 2574
  - (2) Appointed counsel for the already represented – amendment of PC §§ 1470-1471
  - (3) Conservator independent powers – PC §§ 2590-2591
- (e) AB 1101 Task Force **[Lodise]**
- (f) DHS – Revamping of Medi-Cal law

### **7. Membership & Marketing**

**[ALBERIO]**

- (a) Membership count

- (b) Marketing of education programs
- 8. Income and Transfer Taxes** [ALLEN]
  - (a) State Legislation of Note
  - (b) Federal Legislative Developments
- 9. Quarterly** [HANDELMAN]
  - (a) Winter 2003 Issue status
  - (b) Spring 2004 Issue status
  - (c) Solicitation of articles
  - (d) Advertising [Streisand]
- 10. Education** [KOONTZ]
  - (a) Report on Winter SEI Programs
  - (b) "Stand-alone" programs:
    - (1) Repeat of Mock Trial Program – April 2004 in LA
    - (2) Fundamental "How to Prepare The Form 706" [June 2004]
  - (c) Status of programs for 2004 State Bar Meeting/Fall Road Show (11-5-04)
- 11. Ethics Committee** [WOLFF]
  - (a) Report of Liaison to Revision Commission
  - (b) Status of Ethics Guide Update
- 12. Estate Planning Committee** [BEAMER]
  - (a) 2 Year Bill re Posthumous Children, AB 1910 [Sinsheimer]
  - (b) PC § 21350 care custodian project
  - (c) AB 252 (dis-establishing paternity)
  - (d) Revocable deed w/reserved life estate
- 13. Litigation Committee** [HORTON]
  - (a) No Contest Clause Project [Kovar]
  - (b) Will/Trust Contest Procedures Subcommittee [Kovar]
  - (c) ADR Model Rules [Henden]
  - (d) AB 2371 [Horton]
  - (e) AB 3103 [Wolff/Lodise]
  - (f) New cases [Phelps]
- 14. Computer/Internet** [HANDELMAN]
  - (a) Listserve

**15. CEB**

- (a) Upcoming Programs
- (b) May Meeting of CEB Estate Planning Advisory Committee
- (c) Ads in CEB publications

**16. NCCUSL Observers**

- (a) Uniform Trust Act
- (b) Uniform Institutional Management of Funds Act
- (c) Uniform Allocation of Tax Act - Birnberg

**IV. COMING ATTRACTIONS**

**UCLA/CEB INSTITUTE**

**May 21-22, 2004  
CENTURY PLAZA HOTEL, LOS ANGELES**

**NEXT EXCOMM MEETING**

**June 5, 2004  
SFO WESTIN — 9:30 A.M. to 3:30 P.M.**